

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL FORM (37 C.F.R. § 1.114)

| | | | |
|--------------------------|--------------------------------------|-------------------------------|------------------|
| DOCKET NO. 10191/3707 | APPLICATION SERIAL NO. 10/527,310 | EXAMINER Goodwin, David J. | ART UNIT 2818 |
|--------------------------|--------------------------------------|-------------------------------|------------------|

INVENTOR(S):
Karin HAMSEN et al.

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 10/527,310 filed on November 28, 2005, entitled DIODE.

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

☒ Amendment After Final Action dated July 1, 2009
☐ Information Disclosure Statement
☐ Drawing Changes
☐ Other Submission: _____

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached Amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

| | CLAIMS REMAINING AFTER AMENDMENT | MINUS | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT NUMBER EXTRA* | RATE (\$) PER CLAIM | FEE (\$) |
|--|-------------------------------------|-------|---|---|---------------------------|-----------------------|
| BASIC FEE | | | | | | 810.00 |
| TOTAL CLAIMS | 15 | | 15 | 0 | 52.00 | 0.00 |
| INDEPENDENT CLAIMS | 4 | | 4 | 0 | 220.00 | 00 |
| MULTIPLE DEPENDENT CLAIM | | | | | 390.00 | |
| | | | | Number extra must be zero or larger | TOTAL | 810.00 |
| If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here. | | | | | | SMALL ENTITY TOTAL |
| | | | | | | 00 |

2. The required RCE and submission filing fee of **\$810.00** is being paid by credit card.
3. Applicants respectfully request a two-month extension of time in order to extend the period set by the final Official Action dated April 1, 2009. The extended period expires on September 1, 2009. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.13(a) extension fee of **\$490.00** by credit card.

The Commissioner is also hereby authorized to charge payment of any other fees (including any further extension fees) or credit any overpayment to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

Respectfully submitted,

Dated: September 1, 2009

By: /Aaron C. Deditch/
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SPECIAL NOTES REGARDING RCE PROCEDURES

- RCE practice is **not applicable** to provisional applications, design applications, applications filed before June 8, 1995, or during reexamination. See 37 C.F.R. § 1.114(d) below.
- This RCE form **must** be accompanied by a “submission” (e.g., an amendment). See 37 C.F.R. § 1.114(a), (b).

Additional Notes

- Treat claim fee calculation as you would an amendment filed by itself.
- The applicant may not defer paying the fee for an RCE.
- An RCE is entitled to the benefit of a Certificate of Mailing under 37 C.F.R. § 1.8.
- Inventorship carries/continues. Any change must be via 37 C.F.R. § 1.48.
- Small entity status carries/continues.

37 C.F.R. § 1.114(d)

“(d) The provisions of this section **do not** apply in any application in which the Office has not mailed at least one of an Office Action under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151. The provisions of this section also **do not** apply to:

- (1) A provisional application;
- (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995;
- (3) An international application filed under 35 U.S.C. 363 before June 8, 1995;
- (4) An application for a design patent; or
- (5) A patent under reexamination.”

Interim Rule, 65 Fed. Reg. 14865, 14872-73 (March 20, 2000).